

**CITY OF MILPITAS PLANNING COMMISSION  
MEETING AGENDA  
MARCH 22, 2017 7:00 PM  
CITY HALL COUNCIL CHAMBERS  
455 E. CALAVERAS BLVD., MILPITAS, CA 95035**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium and limit their remarks to fewer than three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

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- IV. APPROVAL OF MINUTES:** March 8, 2017
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA:** March 22, 2017

**VIII. CONSENT CALENDAR**

**NO ITEMS**

**IX. PUBLIC HEARING**

**TRINETHRA CASH AND CARRY – 556 S. MILPITAS BLVD – ITEM DEFERRED TO APRIL 12, 2017**

- IX-1 CAPITAL IMPROVEMENT PROGRAM (CIP) GENERAL PLAN CONFORMITY FINDING:** A City-initiated request to consider a General Plan conformity finding for the proposed 2017-2022 CIP Annual Report in accordance to California Government Code Section 65401. This project is exempt from further CEQA review pursuant to Section 15061(b)(3) in that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Interim Director of Engineering, Greg Chung, 408-586-3355, [gchung@ci.milpitas.ca.gov](mailto:gchung@ci.milpitas.ca.gov)

*Recommendation: Staff recommends that the Planning Commission Adopt Resolution No. 17-010 finding the 2017-2022 Capital Improvement Program in conformance with the General Plan.*

- IX-2 ZONING AMENDMENT/CONDITIONAL USE PERMIT - GREATER LOVE CHURCH – 529 S. MAIN STREET – P-ST17-0001; P-ZA17-0001; P-UP16-0007:** A request for a Specific Plan and Zoning Text Amendment to remove the distance restriction for places of assembly within

all MXD zones. A Conditional Use Permit to allow a place of assembly (Greater Love Church) within an MXD zoning district located at 529 S. Main Street, as per City Code Section XI-10-6.02. The Specific Plan and Zoning Amendment are exempt from CEQA review pursuant to Section 15061 (B) (3) in that the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This Conditional Use Permit is categorically exempt from further CEQA review pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines. Project Planner: Michael Fossati, 408-586-3274, [mfossati@ci.milpitas.ca.gov](mailto:mfossati@ci.milpitas.ca.gov)

***Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 17-008 recommending the City Council adopt Specific Plan No. ST17-0001, Zoning Text Amendment ZA17-0001, and Conditional Use Permit No. UP16-0007, subject to the attached Conditions of Approval.***

## **X. NEW BUSINESS**

### **NO ITEMS**

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Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within 12 calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

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## **XI. ADJOURNMENT**

### **KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE**

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City exist to conduct the people's business.

This ordinance assures that deliberations are conducted before the people and the

City operations are open to the people's review.

Materials related to an item on this agenda submitted to the Planning Commission after initial distribution of the agenda packet are available for public inspection at the Planning Department office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall 455 E. Calaveras Blvd., Milpitas, CA 95035 Phone 408-586-3040

*The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) by selecting the Milpitas Municipal Code link.*

The Planning Division will provide a recorded agenda or minutes printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at 408-586-3279.

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